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**FILED**

JUN 28 2007

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NEW JERSEY BOARD OF  
CHIROPRACTIC EXAMINERS

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF CHIROPRACTIC EXAMINERS

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IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

Administrative Action

PAUL ROSES, D.C.  
License No. MC02273

CONSENT ORDER

TO PRACTICE CHIROPRACTIC  
IN THE STATE OF NEW JERSEY

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This matter was opened to the New Jersey State Board of Chiropractic Examiners ("Board") by the Attorney General's having filed an Administrative Complaint on February 14, 2006, against Paul Roses, D.C., License No. MC02273 ("Respondent").

The Complaint alleges, in substance, that in 1995 and 1996 Respondent failed to disclose to volunteer participants and their medical insurers that he would be billing said insurers for the chiropractic services he performed on the volunteers during the demonstrations Respondent conducted at various public schools, in violation of N.J.S.A. 45:1-21 (b).

The Complaint further alleges that Respondent engaged in gross negligence, gross malpractice, and gross incompetence in violation of N.J.S.A. 45: 1-21 (c) with regard to care of three patients, children ostensibly injured in a motor vehicle accident in 1997, in that he failed to: take a thorough history; take into account specific patient complaints; justify radiographic and fluoroscopic testing; demonstrate medical necessity for tests not substantiated as useful in chiropractic; perform a range of motion study prior to the initiation of care and at regular intervals thereafter; explain and reconcile conclusions; protect patients from excessive ionizing radiation; and shield the ovaries of one patient from radiation.

In addition, the Complaint alleges that Respondent failed to maintain adequate records in violation of N.J.A.C. 13:44E-2.2 in that he failed to establish a chiropractic record for volunteer participants in his school demonstrations and failed to include in the records of three children injured in a motor vehicle accident the detailed chiropractic information contained in multi-page narrative reports of their treatment that he submitted to the court in connection with settlement of their claims.

The Complaint further alleges that Respondent's conduct provides a basis for disciplinary sanctions including, among other sanctions, suspension of his license to practice chiropractic medicine.

In his Answer filed with the Board on or about April 11, 2006, Respondent denied the allegations contained in the Administrative Complaint.

The parties, having agreed to the resolution of this matter without further proceedings, and Respondent having agreed and given his voluntary consent to the entry of this order, without, however, admitting or denying the allegations of the administrative complaint or the bases for the reprimand or the findings of this order, and the Board finding that the within disposition is adequately protective of the of the public health, safety and welfare, and other good cause having been shown,

IT IS, THEREFORE, ON THIS 28<sup>th</sup> DAY OF

June, 2007 ORDERED AND AGREED THAT:

1. Respondent is found to have engaged in conduct constituting violations of N.J.S.A. 45:1-21(b), (c) (d) and N.J.A.C. 13:44E-2.2.

2. Respondent is hereby reprimanded by the Board for: failing to disclose to volunteers in his school demonstrations that they would be billed, via their insurance carriers, for volunteering; failing to establish a chiropractic record for these unwitting patients; failing to document in the chiropractic records of three minor patients ostensibly injured in a motor vehicle accident in 1997 the patient history, complaints, range of motion and other clinical impressions, and medical necessity for certain tests; and failing to protect said minor patients from excessive ionizing radiation.

3. Respondent shall comply with N.J.A.C. 13:44 E-2.1 and 2.2 in conducting any demonstration programs in the future.

4. Respondent shall take and successfully complete, at his own expense, a Board-approved, twelve-credit-hour course in record-keeping. Successful completion means that all sessions were attended, all assignments were properly and appropriately completed, and a passing grade was achieved that was unconditional and without reservation. Respondent shall submit to the Board verification of the successful completion of said course within six (6) months of entry of this Order.

5. Following completion of the above mentioned record-keeping course, Respondent shall demonstrate his improved record-keeping by submitting to the Board for review, monthly for the next twelve months, ten current patient charts.

6. Respondent shall take and successfully complete, at his own expense, a Board-approved course in professional ethics. Successful completion means that all sessions were attended, all assignments were properly and appropriately completed, and a passing grade was achieved that was unconditional and without reservations. Respondent shall submit to the Board verification of the successful completion of said course within six (6) months of entry of this Order.

7. Respondent shall pay a civil penalty in the amount of \$16,000.00 and costs of investigation in the amount of \$7,260.00, for a total of \$23,260.00, either in full upon entry of this order or as provided in the following paragraph, as Respondent may elect.

8. Said total amount may be paid over a period of thirty-six (36) months at the current Court Rule rate of four percent (4%) annual interest. Payment shall be made in the form of monthly installments of \$646.11 plus interest on the unpaid balance, for a total of thirty-six (36) consecutive months or until paid in full, whichever comes first. Said monthly installments shall be due by the first day of each month, commencing thirty (30) days after the entry of this Order and continuing until the balance is paid in full. All payments shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to the attention of the Executive Director of the New Jersey State Board of Chiropractic Examiners, 124 Halsey Street, Box 45004, Newark, New Jersey 07102. The Board may without notice file a certificate of debt for the full amount of costs and penalties outstanding at any time after this Order is entered. Failure to make timely payments shall be considered a violation of this Order and shall result in acceleration of the balance of debt.

## BOARD OF CHIROPRACTIC EXAMINERS

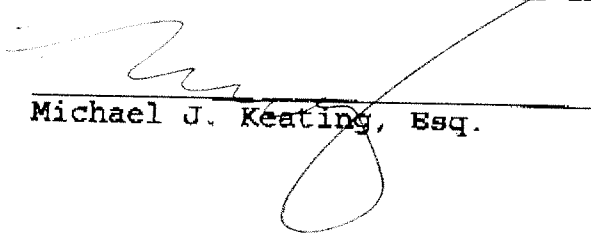
By: 

~~Lawrence O'Connor, D.C. Albert Stabile D.C.~~  
President

I have read and understood the terms of this Consent Order and voluntarily agree to be bound by them. I consent to the Board's entry of this Order.

  
Paul Reese, D.C.Date 6/20/07

Consented to as to form and entry.

  
\_\_\_\_\_  
Michael J. Keating, Esq.

6/20/07  
\_\_\_\_\_  
Date